**Why Are Rights Important?**

Final Exam

**Part One: Matching This section does not fit your essential question or your unit questions. It calls for memorization of the Bill of Rights and there was only one lesson on that topic. Do you want students to know which amendment includes which right or to understand the importance of the rights included in the first ten amendments?**

Match the statements on the left to the answers on the right. Note, some answers may be used more than once and some may not be used at all.

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| 1. Rights not spelled out are reserved to the States. \_\_\_\_\_\_\_\_ | a. First Amendment |
| 2. You are not subject to unreasonable search and seizure. \_\_\_\_\_\_\_\_ | b. Thomas Jefferson |
| 3. Author of the Bill of Rights. \_\_\_\_\_\_\_\_ | c. Second Amendment. |
| 4. Freedom of speech. \_\_\_\_\_\_\_\_ | d. James Madison |
| 5. You have other rights than those in the Bill of Rights. \_\_\_\_\_\_\_\_ | e. George Washington |
| 6. Freedom of speech. \_\_\_\_\_\_\_\_ | f. Third Amendment |
| 7. You have the right to a jury trial in civil cases. \_\_\_\_\_\_\_\_ | g. Fourth Amendment |
| 8. The first sentence of a news article that draws in the reader. \_\_\_\_\_\_\_\_ | h. Fifth Amendment |
| 9. The questions every journalist should ask. \_\_\_\_\_\_\_\_ | i. Sixth Amendment |
| 10. What part of a news article provides a summary of the story. \_\_\_\_\_\_\_\_ | j. Seventh Amendment |
| 11. You are free to worship Buddha. \_\_\_\_\_\_\_\_ | k. Lead |
| 12. Freedom of the press. \_\_\_\_\_\_\_\_ | l. Eighth Amendment |
| 13. You are not required to incriminate yourself. \_\_\_\_\_\_\_\_ | m. Who? What? Where? When? Why? How? |
| 14. Common structural format of a hard news article. \_\_\_\_\_\_\_ | n. Ninth Amendment |
| 15. You have the right to bear arms. \_\_\_\_\_\_ | o. Nut graph |
|  | p. Tenth Amendment |
|  | q. Inverted pyramid |

**Answer key**

1. p; 2. g; 3. d; 4. a; 5. n; 6. a; 7. j; 8. k; 9. m; 10. o; 11. a; 12. a; 13. h; 14. q; 15. c

**Part Two: Essay The essay is a much better example of critical thinking and authentic assessment. It requires students to incorporate their understanding of the intent of the first amendment and apply it to a court case (sounds amazingly like Tinker vs. DesMoines). Will students have studied that case as a legal precedent for this case?**

You are a judge on the Supreme Court and will be writing the decision in the case *Jones v. Pendleton School District*. Before writing your decision, be sure to read the facts and history of the case.

Facts & History of the Case

In December 2008, a small group of students and their parents decided to express their opposition to the United States’ involvement in the Afghanistan by wearing black armbands for about two weeks during the holiday season. Some of the group had participated in similar protest activities before, including Mr. Jones, a local minister; Mrs. Wilson, an official in the group Women United for Peace; and the children of both families. They decided the protest would include wearing the armbands to school.

The principal of Pendleton High School heard of the plan and thought it would be disruptive and divisive, since many students had family members serving in Afghanistan, so on December 15, 2008, she adopted a policy specifically prohibiting students from wearing black armbands while at school, and announced the policy in the school. The Jones and Wilson children knew the school’s policy. They understood they would be suspended if they disobeyed the rule. On December 16 and 17, seven of the approximately 750 students enrolled in the school wore the black armbands. A mathematics teacher reported that his lesson period had been practically “wrecked by disputes” by Mary Beth Jones.

Later in the afternoon, the students wearing the armbands were called into the principal’s office and asked to remove them. When they refused, they were suspended until they returned to school without the armbands. John F. Jones, age 17, and Mary Beth Jones, age 15, were among the five students suspended. After the planned protest period was over, the students returned to school.

After the suspension, school authorities had prepared a statement listing the reasons for banning black armbands. The statement referred to the fact that a former student, whose friends were still in school, had been killed in Afghanistan and that “if any kind of demonstration existed, it might evolve into something which would be hard to control.” School authorities said the regulation was directed “against the principle of demonstration” itself, that “school is no places for demonstrations,” and “if students didn’t like the way our elected officials were handling things, it should be handled with the ballot box and not the halls of our public schools.” However, officials had previously allowed students to wear election campaign buttons, and some students had worn the Iron Cross, considered to be a Nazi symbol.

School officials also said their decision to ban black armbands was influenced by the fact that the war in Afghanistan had recently become “the subject of major controversy,” as indicated by mass marches in Washington D.C.

Mr. Jones filed a complaint on behalf of his children that their right of free expression had been violated. He asked for a small amount of money and requested that the children not be disciplined for their actions.

The trial court dismissed the case, saying the school has a right to regulate the way students express themselves while at school in order to preserve order in the school. The court of appeals agreed.

Your Decision

Write a decision that either upholds or reversed the decision of the court of appeals. As you write your decision, be sure to consider the following:

What are the Constitutional issues at stake in the case? Be sure to cite and quote the relevant portions of the Constitution. (**Be specific**.) You may use your copy of the Bill of Rights for this portion.

What important facts support the school’s position? What are the best arguments that support the school?

What important facts support the students’ position? What are the best arguments that support the students?

How would your decision impact society? Would it place unfair limits on some particular group? How important would those limits be?

What other facts, law, or ideals of democracy are important in your decision?

Your decision should include a brief restatement of the facts (do not just restate the facts as presented above), followed by separate paragraphs explaining your reasons for reaching the decision you reach, and a brief summary paragraph.

Be creative! It does not matter whether you rule in favor of the school or of the students. We are more concerned with your reasoning and with how well you support your decision with the Constitutional principles you have learned.

**Sample Answer**

In the case of *Jones v. Pendleton School District*, I rule in favor of Jones for the following reasons: The First Amendment rights of the students in the *Jones v. Pendelton School District* case were clearly violated. The First Amendment allows people freedom of speech, and wearing armbands is a form of symbolic speech. The school limited the speech of those who opposed the war and punished them for their views. Wearing armbands didn’t create a threat or danger to anyone. School officials even allowed other students campaign buttons and the Iron Cross. The school did not allow these students to fully exercise their freedom of speech.”

I recognize that the school has an obligation to maintain order and they believed the protest interfered with the ability to teach. But the students were peaceful in the way they expressed themselves by wearing armbands. The school had previously allowed students the freedom to express themselves on other occasions, in the form of campaign buttons and the Iron Cross.

This decision would set the tone for freedom of speech issues in other high schools and allow students to express themselves about issues important to them. This decision will limit schools and how they regulate student speech, but when silent protests are an issue the right to free speech must be protected.